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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/987,915	11/16/2001	Lalch Tarighi	WIR-SAS-915	7931
50438	7590	06/12/2007		
JUNEAU PARTNERS P.O. BOX 2516 ALEXANDRIA, VA 22301			EXAMINER KUMAR, PANKAJ	
			ART UNIT 2611	PAPER NUMBER
			MAIL DATE 06/12/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/987,915

Applicant(s)

TARIGHI ET AL.

Examiner

Pankaj Kumar

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) 1-17, 26-36 and 38-43 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18 and 19 is/are rejected.
- 7) ☐ Claim(s) 20-25 and 37 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Comment

1. There would be a serious burden on the examiner because the inventions have acquired a separate status in the art in view of their different classification. Also, applicant's own specification recites "Description of Embodiments" on page 11 and "another aspect" page 7, "further aspect" page 8, "second aspect" page 4, etc.

Specification

2. The abstract of the disclosure is objected to because it should not contain the title of the invention. Correction is required. See MPEP § 608.01(b).

Claim Objections

3. Claim 37 is objected to under 37 CFR 1.75(c) as being in improper form because it improperly depends on both claims 1 and 18. See MPEP § 608.01(n). Accordingly, the claim 37 not been further treated on the merits.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eberwine USPN 5,392,052 in view of Lunsford USPN 6,356,442.

6. As per claim 18, (i) an input/output port for connection to a communication port of the hand held digital computer (not in Eberwine but it would be obvious as explained below); (ii) a modulator and/or demodulator for converting digital data to a modulated radio frequency signal and/or for converting a modulated radio frequency signal to digital data (Eberwine fig. 1: modem1, modem 2; elements 7, 9); (iii) an input for data (Eberwine fig. 1: 3) from the position-locating device (Eberwine fig. 1: 2); (iv) a switch for selectively connecting (a) the modulator and/or demodulator to said input/output port, or (b) the position locating device input to said input/output port (Eberwine fig. 3; paragraphs 39, 40: “(39) 14/5 output control signal from CPU to control power switch for GPS 2 and modem 9. (40) 14/6 output control signal from CPU to control power switching means for master controller 4 and modem 7.”); and (v) a controller for controlling the operation of the switch (Eberwine fig. 1: power 11).

7. Eberwine does not teach an input/output port for connection to a communication port of the hand held digital computer. Lunsford 6356442 teaches an input/output port for connection to a communication port of the hand held digital computer (Lunsford fig. 3E: 326). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Lunsford into Eberwine since Eberwine suggests transmit and receive (something broad) in general and Lunsford suggests the beneficial use of transmitting and receiving through the ports such as to provide a way to communicate in the analogous art of communication.

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8. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eberwine USPN 5,392,052 in view of Lunsford USPN 6,356,442 as applied to claim 18 above, and further in view of Cameron USPN 6,751,467.

9. As per claim 19, Eberwine in view of Lunsford teaches a modem according to claim 18. Eberwine in view of Lunsford does not teach wherein said position locating device is an internal component of the modem. Cameron teaches wherein said position locating device is an internal component of the modem (Cameron 6751467 col. 3 lines 10-11). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Cameron into Lunsford and Eberwine since Lunsford and Eberwine suggests modem and position locating device (something broad) in general and Cameron suggests the beneficial use of position locating device being an internal component of the modem such as to provide a highly integrated system (Cameron col. 4 line 11) in the analogous art of communication.

Allowable Subject Matter

10. Claims 20-24, 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pankaj Kumar whose telephone number is (571) 272-3011. The examiner can normally be reached on Monday through Friday.

12. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on (571) 272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Pankaj Kumar
Primary Examiner
Art Unit 2611

PK